

# HOUSE BILL 378

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HB 413/09 – W&M

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By: **Delegates Kaiser, Ali, Barkley, Barnes, Bates, Bobo, Bronrott, Carr, Feldman, Frick, Frush, Gilchrist, Gutierrez, Hecht, Holmes, Howard, Hubbard, Hucker, Ivey, Jennings, Jones, Lafferty, Lee, Manno, Montgomery, Morhaim, Murphy, Olszewski, Pena-Melnyk, Reznik, Rice, Riley, Rosenberg, Ross, Schuler, Simmons, Stukes, ~~and Walker~~ Walker, and Kramer**

Introduced and read first time: January 28, 2010  
Assigned to: Ways and Means

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 23, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Election Law – ~~Ballot Issue Committee – Additional~~ Campaign Finance**  
3 **~~Report~~ Reports**

4 FOR the purpose of requiring a ballot issue committee to file a campaign finance  
5 report on or before a certain date preceding a general election; exempting a  
6 certain campaign finance entity of a candidate for election to the central  
7 committee of a political party from the requirement to file a certain affidavit or  
8 campaign finance report on certain dates; and generally relating to the filing of  
9 an additional campaign finance report by a ballot issue committee reports.

10 BY repealing and reenacting, with amendments,  
11 Article – Election Law  
12 Section 13–305 and 13–309  
13 Annotated Code of Maryland  
14 (2003 Volume and 2009 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Election Law**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 13-305.

2 (a) Instead of filing a report required under § 13-309 of this subtitle, a  
3 treasurer may file an affidavit stating that the campaign finance entity has not raised  
4 or spent a cumulative amount of \$1,000 or more, exclusive of the filing fee, and  
5 regardless of the balance of the campaign account, since:

6 (1) establishing the campaign finance entity; or

7 (2) filing the campaign finance entity's last campaign finance report.

8 (b) The affidavit shall be filed on or before the date a campaign finance  
9 report is due to be filed under § 13-309 of this subtitle.

10 (c) (1) **THIS SUBSECTION ONLY APPLIES TO A CAMPAIGN FINANCE**  
11 **ENTITY OF A CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A**  
12 **POLITICAL PARTY THAT IS AUTHORIZED UNDER SUBSECTION (A) OF THIS**  
13 **SECTION TO FILE AN AFFIDAVIT INSTEAD OF FILING A CAMPAIGN FINANCE**  
14 **REPORT ON A DATE SPECIFIED IN § 13-309(A) OF THIS SUBTITLE.**

15 (2) **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A**  
16 **CAMPAIGN FINANCE ENTITY SUBJECT TO THIS SUBSECTION IS NOT REQUIRED**  
17 **TO FILE AN AFFIDAVIT UNDER THIS SECTION OR A CAMPAIGN FINANCE REPORT**  
18 **ON A DATE SPECIFIED IN § 13-309(A) OF THIS SUBTITLE.**

19 (3) **A CAMPAIGN FINANCE ENTITY SUBJECT TO THIS SUBSECTION**  
20 **SHALL FILE AN AFFIDAVIT UNDER SUBSECTION (A) OF THIS SECTION OR A**  
21 **CAMPAIGN FINANCE REPORT ON THE DATE SPECIFIED IN § 13-309(C) OF THIS**  
22 **SUBTITLE.**

23 13-309.

24 (a) Subject to other provisions of this subtitle, a campaign finance entity  
25 shall file campaign finance reports as follows:

26 (1) except for a ballot issue committee, on or before the fourth Tuesday  
27 immediately preceding each primary election except a presidential primary election;

28 (2) except for a ballot issue committee, on or before the second Friday  
29 immediately preceding a primary election;

30 (3) **FOR A BALLOT ISSUE COMMITTEE ONLY, ON OR BEFORE THE**  
31 **FOURTH FRIDAY IMMEDIATELY PRECEDING A GENERAL ELECTION;**

1                    ~~[(3)] (4)~~        on or before the second Friday immediately preceding a  
2 general election; and

3                    ~~[(4)] (5)~~        on or before the third Tuesday after a general election.

4            (b)    (1)    A campaign finance entity is subject to subsection (a) of this  
5 section and this subsection only as to the election in which the entity designates that it  
6 will participate.

7                    (2)    In addition to the campaign finance reports required under  
8 subsection (a) of this section, but subject to paragraph (4) of this subsection, a  
9 campaign finance entity shall file campaign finance reports on the third Wednesday in  
10 January.

11                    (3)    (i)    If subsequent to the filing of its declaration under §  
12 13–208(c)(3) of this title, a campaign finance entity participates in an election in which  
13 it was not designated to participate, the campaign finance entity shall file all  
14 campaign reports prescribed under subsection (a) of this section for that election.

15                                    (ii)    A violation of subparagraph (i) of this paragraph constitutes  
16 a failure to file by the campaign finance entity, and the responsible officer is guilty of a  
17 misdemeanor and on conviction is subject to the penalties prescribed under Part VII of  
18 this subtitle.

19                    (4)    If a campaign finance entity has neither a cash balance nor an  
20 outstanding obligation at the end of a reporting period, a campaign finance report for  
21 that period, clearly marked as “final”, shall be filed on or before the due date, and no  
22 further report is required.

23            (c)    In addition to the campaign reports required under subsection (a) of this  
24 section, a continuing political committee shall file a campaign finance report on the  
25 third Wednesday in January of each year the committee is in existence.

26            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.